

PATENT
ATTORNEY DOCKET NO.: 062587-5003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of : Heinrich HAAS, et al.)	
)	
U.S. Application No.: 10/519,193)	Group Art Unit: Unassigned
)	
Filing Date: December 22, 2004)	Examiner: Unassigned
)	
For: CAMPTOTHECIN-CARBOXYLATE)	
FORMULATIONS)	

Commissioner of Patents
MAIL STOP PCT

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. § 371 IN THE U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. This replies to the Notification of Missing Requirements (Form PCT/DO/EO/905) mailed August 25, 2005.

A copy of the Notification of Missing Requirements (Form PTC/DO/EO/905) is enclosed.

2. Declaration Or Oath

- ☒ No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.
- ☐ The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.
- ☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.

☐ Also enclosed is the Verification of Translation Document

4. Small Entity Statement(s)

☒ Applicant(s) hereby assert small entity status.

5. Fee Calculation

Basic National Stage Fee:				
\$300.00				
	Number Filed	Number Extra	at a Rate of	
Total Claims	(prev. paid 22) 36-22 =	14	\$50.00 each=	+\$700.00
Independent Claims	1- 3 =	0	\$200.00 each=	+\$0.00
Multiple dependent claim(s), if any			\$360.00	+\$0.00
Missing Requirements Surcharge Fee			\$130.00	\$130.00
Application Size Fee				
\$250.00 for each additional 50 sheets that exceeds 100				\$
Application Search Fee			\$500.00	\$0.00
Examination Fee			\$200.00	\$0.00
SUB-TOTAL =				\$830.00
Fee For Application Filed With A Non-English Specification (37 C.F.R. § 1.17(k) and § 1.52(d))			\$130.00	+\$0.00

Fee For Processing and retention of application (37 C.F.R. § 1.21(l) and § 1.53(d))	\$130.00	+\$0.00
TOTAL FILING FEE FOR SMALL ENTITY =		\$415.00

6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☒ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. §§ 1.17(a)-(d), for the total number of months checked below:

	<u>Total Months Requested</u>	<u>Extension Fee</u>	<u>Extension Fee [Small Entity]</u>
<input type="checkbox"/>	One month	\$120.00	\$60.00
<input checked="" type="checkbox"/>	Two months	\$450.00	\$225.00
<input type="checkbox"/>	Three months	\$1,020.00	\$510.00
<input type="checkbox"/>	Four months	\$1,590.00	\$795.00
<input type="checkbox"/>	Five months	\$2,160.00	\$1,080.00

Extension of time fee due with this request: \$225.00

If an additional extension of time is required, please consider this a Petition therefor.

- ☐ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

7. Fee Payment

The total fee due is: Completion Fees \$640.00
 Total Fee Due \$640.00

- ☒ The Commissioner is hereby authorized to charge the total fee due to Deposit Account 50-0310.

12/28/2005 LLANDGRA 00000009 500310 10519193

01 FC:2615 350.00 DA
 02 FC:2617 65.00 DA
 03 FC:2252 225.00 DA


☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0310.

8. Additional papers enclosed.

- ☒ Form PCT/IB/306 Notification of the Recording of A Change
☒ Preliminary Amendment

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP


Sally P. Teng, Reg. No. 45,697

Date: December 21, 2005

Customer No. 09629

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

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Faiza

U.S. APPLICATION NUMBER NO. 10/519,193	FIRST NAMED APPLICANT Heinrich Haas	ATTY. DOCKET NO. 062587-5003
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INTERNATIONAL APPLICATION NO. PCT/EP03/06760

LA. FILING DATE 06/26/2003	PRIORITY DATE 06/26/2002
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MORGAN LEWIS & BOCKIUS LLP
1111 PENNSYLVANIA AVENUE NW
WASHINGTON, DC 20004

CONFIRMATION NO. 6810
371 FORMALITIES LETTER
OC000000016856936
OC000000016856936

Date Mailed: 08/25/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/22/2004
- Copy of the International Search Report filed on 12/22/2004
- Copy of IPE Report filed on 12/22/2004
- Preliminary Amendments filed on 12/22/2004
- Small Entity Statement filed on 12/22/2004
- Copy of references cited in ISR filed on 12/22/2004
- U.S. Basic National Fees filed on 12/22/2004
- Priority Documents filed on 12/22/2004

Doctored 8/30/05 Attorney ccw/SPT
Case 62587-5003
Due Date October 25, 2005
Action Missing Requirement
By GD On 6/1

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

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AUG 29 2005

MORGAN, LEWIS & BOCKIUS LLP

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

DEBORAH D WILLIAMS

Telephone: (703) 308-9140 EXT 205

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/519,193	PCT/EP03/06760	062587-5003